

Exhibit A

Volume 3

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Thomas S. Hixson, Magistrate Judge

LISAMARIA MARTINEZ,)	
)	
Plaintiff,)	
)	
VS.)	NO. 3:20-CV-06570 TSH
)	
COUNTY OF ALAMEDA,)	
)	
Defendant.)	
_____)	

San Francisco, California
Thursday, March 28, 2024

TRANSCRIPT OF JURY TRIAL PROCEEDINGS

APPEARANCES:

For Plaintiff:

TRE LEGAL PRACTICE
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BY: S. TOMIYO STONER, ATTORNEY AT LAW

(APPEARANCES CONTINUED ON FOLLOWING PAGE)

REPORTED BY: Ana Dub, RDR, RMR, CRR, CCRR, CRG, CCG
CSR No. 7445, Official United States Reporter

APPEARANCES: (CONTINUED)

For Defendant:

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BY: KEVIN E. GILBERT, ATTORNEY AT LAW
NICHOLAS D. FINE, ATTORNEY AT LAW

Also Present:

Lisamaria Martinez
Michelle Korosy, Paralegal
Matthew Yankee, County of Alameda

I N D E X

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(SWORN)

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(SWORN)

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1 **MR. GILBERT:** Vague. Speculation. Foundation.

2 **THE COURT:** Overruled.

3 **THE WITNESS:** Obviously, she was not successful that
4 day. But, again, that's not something that we would fix on a
5 pre-completed form.

6 **BY MS. STONER:**

7 **Q.** Okay. To give another example, so suppose there is an
8 online posting space, something kind of like maybe Craigslist
9 was back in the day. So if Ms. Martinez was unable to make a
10 post because it wasn't accessible to her, do you agree that she
11 would have been unable to communicate through the County?

12 **MR. GILBERT:** Vague as to "communicate."

13 **THE COURT:** Sustained.

14 **BY MS. STONER:**

15 **Q.** Okay. To ask another way, Ms. Martinez was unable to file
16 her form and communicate with the broader audience of
17 the County of Alameda?

18 **A.** With the public, correct.

19 **Q.** With the public.

20 **A.** Yes.

21 **Q.** And the reason that she was unable to do so is because
22 the County reviewed her form and found inadequacies?

23 **A.** Correct.

24 **Q.** And the reason that she was unable to change the form or
25 submit a new form that addressed those inadequacies was because

1 of her difficulty communicating in writing the changes
2 the County wanted, to the County?

3 **A.** Well, she had a difficulty putting them on the form. You
4 use the term "the County wanted" as if this is something that
5 we want or don't want. It's a state law that we shall not
6 accept it if there's certain deficiencies. It has really
7 nothing to do with what we want or don't want.

8 **Q.** Okay. But Ms. Martinez was attempting to communicate
9 items addressing the deficiencies identified by the County via
10 a written form?

11 **A.** Can you re- -- repeat that?

12 **Q.** Yes. So the County had identified some deficiencies.
13 Ms. Martinez was attempting to remedy those deficiencies on a
14 printed form so that the County could then again review the
15 form; is that correct?

16 **MR. GILBERT:** Speculation as Ms. Martinez's intent.

17 **THE COURT:** Overruled.

18 **THE WITNESS:** My understanding is that is what she
19 wanted to accomplish.

20 **BY MS. STONER:**

21 **Q.** Okay. And when you assessed whether there was effective
22 communication, you never assessed whether a person who is blind
23 is able to effectively complete written forms in a manner that
24 addresses concerns raised by the County that prevent the form
25 from being filed?

CERTIFICATE OF REPORTER

I certify that the foregoing is a correct transcript
from the record of proceedings in the above-entitled matter.

DATE: Friday, March 29, 2024

Ana Dub

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